

Chapter 51

FIRE PREVENTION

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[HISTORY: Adopted by the Borough Council of the Borough of Pennsburg 2-3-2003 by Ord. No. 1-03, which ordinance also repealed former Ch. 51, Fire Prevention, adopted 2-7-1994 by Ord. No. 5-94. Amendments noted where applicable.]

GENERAL REFERENCES

Fire companies — See Ch. 8.

Property maintenance — See Ch. 42.

Building construction — See Ch. 34.

Mechanical standards — See Ch. 63.

Code enforcement — See Ch. 36.

Plumbing — See Ch. 75.

Uniform construction codes — See Ch. 36A.

Zoning — See Ch. 110.

Electrical standards — See Ch. 41.

ARTICLE I

Fire Prevention Code

[Adopted 2-3-2003 by Ord. No. 1-03¹]

§ 51-1. Adoption of Fire Prevention Code.

A certain document, three copies of which are on file in the office of the Secretary of the Borough of Pennsburg, being marked and designated as the 2000 Edition of the International Fire Code, as published by the International Code Conference, including Appendix Chapters A, B, C, D, E, F, and G, be and is hereby adopted as the Fire Prevention Code of the Borough of Pennsburg, for the control of buildings, structures and premises as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Fire Code, 2000 Edition, are hereby referred to, adopted and made a part hereof as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 51-2 of this chapter.

§ 51-2. Additions, insertions and changes.

The following sections are hereby revised:

1. Editor's Note: This ordinance also repealed former Ch. 51, Fire Prevention, adopted 2-7-1994 by Ord. No. 5-94.

A. Chapter 1.

- (1) 101.1. Insert "Pennsburg Borough" as the name of the jurisdiction.
- (2) 105.3.1. Delete the heading and paragraph in its entirety and insert the following: "Expiration. An operational permit shall remain in effect until reissued, renewed, or revoked for such a period of time as specified in the permit. Construction permits shall follow the requirements of the adopted building codes² of Pennsburg Borough."
- (3) 105.3.2. Delete the paragraph in its entirety and insert the following: "Permits shall meet the requirements of the adopted building codes³ of Pennsburg Borough."
- (4) 105.6. Insert at the end of the sentence: "as required by the Code of the Borough of Pennsburg."
- (5) 105.6.16. Delete the words "An operational permit" and replace with "Permission from the Upper Hanover Water Authority."
- (6) 105.6.16. In the "Exception" paragraph, delete the words: "A permit" and replace with "Permission."
- (7) 109.3. Delete the heading and paragraph in its entirety and insert the following "Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law, which shall include but not be limited to a fine of not more than \$1,000 or imprisonment not exceeding 30 days, or both. Each day that a violation continues after due notice has been served shall be deemed a separate offense."
- (8) 111.4. Delete the heading and paragraph in its entirety and insert the following: "Failure to comply. Any person who shall continue any work after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law, and specifically described in Section 109.3."

B. Chapter 2.

- (1) 202. Add the following definition: "Pennsburg Borough Council. The governing body for Pennsburg Borough, Montgomery County, Pennsylvania."

C. Chapter 3.

- (1) 307.1. Amend the section to read as follows: "A person shall not kindle or maintain or authorize to be kindled or maintained any open burning within the Borough of Pennsburg."

2. Editor's Note: See Ch. 36A, Construction Codes, Uniform.

3. Editor's Note: See Ch. 36A, Construction Codes, Uniform.

- (2) 307.2 and 307.4. These sections are deleted in their entireties.

D. Chapter 5.

- (1) 506.1. Add the following sentence at the beginning of the paragraph: "All newly constructed buildings, except residential structures constructed under the provisions of the International Residential Code, shall have a knock box or a similarly approved unit to perform the same function."
- (2) Add new Section 506.2.1 as follows: "506.2.1 Knock box contents. The knock box shall contain the following:
1. Keys to locked points of egress, interior, or exterior of such buildings.
 2. Keys to mechanical rooms.
 3. Keys to elevator rooms.
 4. Keys to elevator controls.
 5. Keys to any other areas that may be required by the Fire Marshal.
 6. A card containing the emergency contact persons and phone numbers for the building.

E. Chapter 9.

- (1) 903.2.1.1. In item number 1 on the list, delete "12,000 square feet" and replace with "6,000 square feet."
- (2) 903.2.1.2. In item number 1 on the list, delete "5,000 square feet" and replace with "6,000 square feet."
- (3) 903.2.1.3. In item number 1 on the list, delete "12,000 square feet" and replace with "6,000 square feet."
- (4) 903.2.1.4. In item number 1 on the list, delete "12,000 square feet" and replace with "6,000 square feet."
- (5) 903.2.2. Delete "20,000 square feet" and replace with "6,000 square feet."
- (6) 903.2.3. Delete "12,000 square feet" and replace with "6,000 square feet"; and delete "24,000 square feet" and replace with "12,000 square feet."
- (7) 903.2.3.1. Delete the words "in excess of 2,500 square feet in area."
- (8) 903.2.4.3. Delete the words "in quantities exceeding 100 pounds."
- (9) 903.2.6. Delete "12,000 square feet" and replace with "6,000 square feet"; and delete "24,000 square feet" and replace with "12,000 square feet."
- (10) 903.2.10. Delete "12,000 square feet" and replace with "6,000 square feet"; and delete "24,000 square feet" and replace with "12,000 square feet."

- (11) 903.2.10.1. In item number 1 on the list, delete "10,000 square feet" and replace with "6,000 square feet." Under item number 2 on the list, delete "12,000 square feet" and replace with "6,000 square feet." Delete item number 3 on the list in its entirety.
- (12) 907.1.3. Add new section 907.1.3 as follows: "907.1.3 Supervision and maintenance. All fire alarm systems shall be supervised by an approved central station and are required to be maintained in proper working order at all times.

Exception: One- and two-family residential dwellings."

- (13) 907.1.4. Add new section 907.1.4 as follows: "Addressable systems. All fire alarm systems installed shall be an addressable system which communicates each alarm device individually at the alarm panel and at the remote panel."
- (14) 907.2.1. Delete the words "having an occupant load of 300 or more."
- (15) 907.2.1.1. In the first paragraph, delete the following: "with an occupant load of 1,000 or more."
- (16) 907.2.2. In the first paragraph, delete the following: "having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge."
- (17) 907.2.3. Under the "Exception" section, delete exception number 1 on the list of exceptions.
- (18) 907.2.4. Delete the heading and insert the following heading: "Groups F, S, U, and Miscellaneous."
- (19) 907.2.7. Delete the following from the first paragraph: "having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge."
- (20) 907.2.9. Delete the heading, paragraph including the exceptions, and insert the following: "Group R-1, R-2, and R-4. A fire alarm system shall be installed in all Groups R-1, R-2, and R-4."

F. Chapter 25.

- (1) 2505.1. Delete "5,000 square feet" and replace with "2,500 square feet"; and delete "50,000 cubic feet" and replace with "12,500 cubic feet" and delete "10 feet" and replace with "5 feet."
- (2) 2505.7. Delete the heading and entire paragraph and insert "Volume - 25,000 cubic feet maximum. The maximum allowable storage of waste tires is 25,000 cubic feet. No more than two 12,500 cubic feet piles per location."
- (3) 2505.8. Insert the following at the end of the paragraph: "Storage of waste tires is not permitted within any building."

- (4) 2509. Delete entire section, including all subsections.

G. Chapter 32.

- (1) The jurisdictions specified in Sections 3204.3.1.1, 3404.2.9.5.2, 3406.2.4.4, and 3804.2 are set forth and limited to those areas where storage of the specified materials are permitted by the Pennsburg Borough Zoning Ordinance.⁴

H. Appendix A. Delete Appendix A in its entirety and insert the following:

"Means of appeal. An appeal from any decision of the code official/fire marshal may be taken to the Code Hearing Board. Such appeal shall be made in writing, verified by affidavit, within 10 days after such decision has been made, and shall be filed with the Borough Secretary. The appellant or his representative shall have the right to appear and be heard before the Code Hearing Board. The Board shall render a prompt decision on such appeal. In making the decision, the Board may vary or modify any provision of this code, where there are practical difficulties in the way of executing the strict letter of the code, or to permit the use of innovative procedures or materials, provided that the spirit of the code shall be observed, public safety secured and substantial justice done. Such variation or modification shall be the minimum necessary in order to grant relief. Every action of the Board on such appeals shall be by resolution, copies of which shall be certified to the code official and the appellant. The decision of the Board shall in such cases be final."

I. Appendix B.

- (1) B103.1. Delete "fire chief" and replace with "code official/fire marshal."
 (2) B103.2 Delete "fire chief" and replace with "code official/fire marshal."

J. Appendix C.

- (1) C105.1. Delete "fire chief" and replace with "code official."

ARTICLE II

Fireworks

[Adopted 7-5-2005 by Ord. No. 8-05]

§ 51-3. Background/legislative intent.

- A. On June 7, 2004, by Ordinance No. 3-04, the Borough of Pennsburg enacted an ordinance to opt in the enforcement of the Uniform Construction Code⁵ as required by the amendment to the state law.

4. Editor's Note: See Ch. 110, Zoning.

5. Editor's Note: See Ch. 36A, Construction Codes, Uniform.

- B. The Borough now wishes to prohibit the sale of consumer fireworks within the Borough of Pennsburg and to do so seeks to amend the relevant portion of Chapter 33 of the International Fire Code. As contemplated by Section 3301.1.3, exception number 4, of the International Fire Code, it is the Borough's intent to prohibit the sale of consumer fireworks and modify the International Fire Code accordingly.
- C. Based upon representations from the Pennsylvania Department of Labor and Industry, due to the fact that this is not a change in any building code standard, the Borough is not required to provide a copy of the proposed ordinance to the state prior to enactment.

§ 51-4. Exception to International Fire Code.

- A. Exception 4 of Section 3301.1.3, Fireworks, of Chapter 33, Explosives and Fireworks, of the International Fire Code, is hereby deleted. The effect of this deletion will prohibit the possession, sale, manufacture, storage, handling and use of fireworks as defined by Section 3302 of the 2003 International Fire Code, Division 1.4(G), Fireworks, formerly known as Class C explosives, common fireworks, or consumer fireworks within the Borough of Pennsburg.
- B. All remaining provisions of the 2003 International Fire Code to the extent not inconsistent herewith, are hereby reenacted and reordained.